

No. 2022-2288

In the

**United States Court of Appeals
for the Federal Circuit**

APPLE INC., Appellant,

v.

COREPHOTONICS, LTD., Appellee.

On Appeal from the Patent Trial and Appeal Board
in *Inter Partes* Review No. IPR2020-00489

**APPELLEE COREPHOTONICS, LTD.'S
UNOPPOSED MOTION FOR EXTENSION
OF TIME TO FILE RESPONSE BRIEF**

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*Attorneys for Patent Owner-
Appellee Corephotonics, Ltd.*

Dated: May 24, 2023

FORM 9. Certificate of Interest

Form 9 (p. 1)
March 2023

UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT

CERTIFICATE OF INTEREST

Case Number 2022-2288

Short Case Caption Apple Inc. v. Corephotonics, Ltd.

Filing Party/Entity Appellee Corephotonics Ltd.

Instructions:

1. Complete each section of the form and select none or N/A if appropriate.
2. Please enter only one item per box; attach additional pages as needed, and check the box to indicate such pages are attached.
3. In answering Sections 2 and 3, be specific as to which represented entities the answers apply; lack of specificity may result in non-compliance.
4. Please do not duplicate entries within Section 5.
5. Counsel must file an amended Certificate of Interest within seven days after any information on this form changes. Fed. Cir. R. 47.4(c).

I certify the following information and any attached sheets are accurate and complete to the best of my knowledge.

Date: 05/24/2023

Signature: /s/ Neil A. Rubin

Name: Neil A. Rubin

FORM 9. Certificate of Interest

Form 9 (p. 2)
March 2023

| 1. Represented Entities. Fed. Cir. R. 47.4(a)(1). | 2. Real Party in Interest. Fed. Cir. R. 47.4(a)(2). | 3. Parent Corporations and Stockholders. Fed. Cir. R. 47.4(a)(3). |
|---|--|--|
| Provide the full names of all entities represented by undersigned counsel in this case. | Provide the full names of all real parties in interest for the entities. Do not list the real parties if they are the same as the entities. <input checked="" type="checkbox"/> None/Not Applicable | Provide the full names of all parent corporations for the entities and all publicly held companies that own 10% or more stock in the entities. <input type="checkbox"/> None/Not Applicable |
| Corephotonics Ltd. | | Samsung Electronics Benelux BV |
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 Additional pages attached

FORM 9. Certificate of Interest

Form 9 (p. 3)
March 2023

4. Legal Representatives. List all law firms, partners, and associates that (a) appeared for the entities in the originating court or agency or (b) are expected to appear in this court for the entities. Do not include those who have already entered an appearance in this court. Fed. Cir. R. 47.4(a)(4).

| | |
|--|--|
| <input type="checkbox"/> None/Not Applicable | <input type="checkbox"/> Additional pages attached |
| C. Jay Chung (formerly of Russ August & Kabat) | |
| | |
| | |

5. Related Cases. Other than the originating case(s) for this case, are there related or prior cases that meet the criteria under Fed. Cir. R. 47.5(a)?

Yes (file separate notice; see below) No N/A (amicus/movant)

If yes, concurrently file a separate Notice of Related Case Information that complies with Fed. Cir. R. 47.5(b). **Please do not duplicate information.** This separate Notice must only be filed with the first Certificate of Interest or, subsequently, if information changes during the pendency of the appeal. Fed. Cir. R. 47.5(b).

6. Organizational Victims and Bankruptcy Cases. Provide any information required under Fed. R. App. P. 26.1(b) (organizational victims in criminal cases) and 26.1(c) (bankruptcy case debtors and trustees). Fed. Cir. R. 47.4(a)(6).

| | |
|---|--|
| <input checked="" type="checkbox"/> None/Not Applicable | <input type="checkbox"/> Additional pages attached |
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As provided for by Federal Rule of Appellate Procedure 26(b) and Federal Circuit Rule 26(b), Patent Owner and Appellee Corephotonics Ltd. respectfully moves for an extension of nine (9) days within which to file its initial brief.

Following three unopposed motions to extend time, providing a total of 102 days of extension, Appellant Apple's opening brief was filed and served on April 21, 2023. Under Federal Circuit Rule 31(a)(2), Corephotonics' initial brief is currently due on Wednesday, May 31, 2023. If this motion is granted, Corephotonics' initial brief will be due on Friday, June 9, 2023. Corephotonics has not previously requested or received an extension of time for filing its brief.

Appellee requests this extension due to numerous deadlines and obligations during the relevant briefing period in other matters, including other matters pending before this Court. These obligations include preparations for oral argument in Case Nos. 2022-1324, 2022-1340, 2022-1350, and 2022-1455 before this Court and briefing and other obligations in *Corephotonics, Ltd. v. Apple Inc.*, Case No. 5:17-cv-06457-JD (N.D. Cal.).

Pursuant to Federal Circuit Rule 26(b)(2) and 26(b)(3), Corephotonics' counsel informed Appellant Apple's counsel that it would seek this extension on May 22, 2023. Counsel for Apple responded that Apple does not oppose the requested extension.

For the foregoing reasons, Corephotonics respectfully requests that this Court grant its Motion, and extend the deadline for the filing of Appellee's Initial Brief by 9 days, from May 31, 2023, to June 9, 2023.

Dated: May 24, 2023

Respectfully submitted,

/s/ Neil A. Rubin
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Attorneys for Patent Owner-Appellee,
COREPHOTONICS, LTD.

CERTIFICATE OF COMPLIANCE

I hereby certify that the foregoing motion complies with the relevant type-volume limitations of the Federal Rules of Appellate Procedure and Federal Circuit Rules because it has been prepared using a proportionally-spaced typeface with serifs and includes 241 words, excluding the parts exempted under those Rules.

Dated: May 24, 2023

Respectfully submitted,

/s/ Neil A. Rubin

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